

REMARKS

In connection with the filing of a request for continued examination (“RCE”), the above amended claims and following remarks are submitted in response to the Final Office Action mailed on September 10, 2007. Claims 1, 14, 17, and 30 are amended. Accordingly, claims 1-32 are pending in the application.

I. Claims Rejected Under 35 U.S.C. § 103

Claims 1-32 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,890,011 issued to Abbondanzio et al. (hereinafter “Abbondanzio”) in view of U.S. Patent 6,799,208 issued to Sankaranarayan et al. (hereinafter “Sankaranarayan”). To establish a *prima facie* case of obviousness: (1) there must be clear articulated reasoning with rational underpinning to support the legal conclusion of obviousness; (2) there must be some teaching, suggestion, or motivation to combine or modify the teachings of the prior art; or (3) all the claimed elements must be known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded nothing more than predictable results to one of ordinary skill in the art. See MPEP § 2142; § 2143.01; § 2143.02.

Claim 1, as amended, recites the elements of “determining a net availability of the resource producer associated with the parent object by traversing the tree of relationships and retrieving consumption information included in *each child object* of the tree of relationships *to calculate the net availability of the resource producer*” (emphasis added). Support for the amendment may be found, for example, in paragraphs [0015] and [0035] of the Specification. Abbondanzio fails to teach or suggest these elements. Abbondanzio, instead, retrieves resource information directly from the *parent bus or grandparent bus* but fails to accomplish this task by “traversing the tree of relationships and retrieving consumption information included in each child object of the tree of relationships to calculate the net availability of the resource producer,” as recited in the claim. See Abbondanzio, column 6, lines 18-20, 30-36, and 44-47. For example, Abbondanzio maps the bus resource pool of the child bus to an address range of the parent bus. See Abbondanzio, column 6, lines 1-10. By mapping the child bus to the parent bus, the system may then directly check the parent bus to determine the available resources instead of

being required to retrieve “consumption information included in each child object to calculate the net availability of the resource producer,” as recited in the claim. See Abbondanzio, column 6, lines 30-36. Consequently, Abbondanzio fails to teach or suggest the elements of “determining a net availability of the resource producer associated with the parent object by . . . retrieving consumption information included in each child object to calculate the net availability of the resource producer,” as recited in claim 1 because such information is retrieved directly from the parent resource.

In addition, Sankaranarayan fails to cure the deficiencies of Abbondanzio.

Sankaranarayan, in contrast, discloses that the parent node consumes the resources provided in the child nodes. See Sankaranarayan, column 10, lines 20-27. As a result, Sankaranarayan’s parent node is not a “resource producer associated with the parent object,” as recited in claim 1. Moreover, because the parent node is taught as being a resource consumer, Sankaranarayan discloses that consumption information (if any because Sankaranarayan teaches that this information is optional) is located in the parent node instead of “included in each child object,” as recited in claim 1. See Sankaranarayan, column 9, lines 35-37 and 39-41. Therefore, Sankaranarayan fails to teach or suggest the elements of “determining a net availability of the resource producer associated with the parent object by . . . retrieving consumption information included in each child object to calculate the net availability of the resource producer,” as recited in claim 1.

Thus, in view of at least the foregoing reasons, Abbondanzio in view of Sankaranarayan fails to teach or suggest each element of claim 1. Accordingly, reconsideration and withdrawal of the rejection of claim 1 are respectfully requested.

In regard to claims 2-13, these claims depend on base claim 1 and incorporate the limitations thereof. Therefore, for the reasons mentioned in connection with claim 1, Abbondanzio in view of Sankaranarayan fails to teach or suggest each element of claims 2-13. Accordingly, reconsideration and withdrawal of the rejection of claims 2-13 are respectfully requested.

In regard to claims 14, 17, and 30, these claims, as amended, recite analogous limitations to those in claim 1. Therefore, for at least the reasons mentioned in connection with claim 1,

Abbondanzio in view of Sankaranarayan fails to teach or suggest each element of claims 14, 17, and 30. Accordingly, reconsideration and withdrawal of the rejection of claim 14, 17, and 30 are respectfully requested.

In regard to claims 15, 16, 18-29, 31, and 32, each of these claims depends on base claim 14, 17, or 40. Thus, for at least the reasons mentioned in connection with claims 14, 17, and 40, the Applicant respectfully submits that claims 15, 16, 18-29, 31, and 32 are patentable over Abbondanzio in view of Sankaranarayan. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 15, 16, 18-29, 31, and 32.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

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Dated: 10/29, 2007

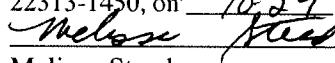


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Melissa Stead 10/29, 2007